

specification as failing to include a specific reference in the specification claiming priority to an earlier provisional application, and objected to the drawings as not showing every claimed feature.

I. Priority

The Examiner has indicated that the application does not contain a specific reference to a prior filed provisional patent application in accordance with 37 CFR 1.78(a)(5)(iii). As such Applicant has amended the specification to include such a sentence. Applicant points out that under 37 CFR § 1.78(a)(5)(i) & (ii), the *application* did properly contain a reference to the prior field provisional application in the Declaration. See Declaration (“I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below: Application Number 60/216,449 Filing Date July 6, 2000”). Therefore, the present amendment does not represent an untimely claim of priority to the earlier filed provisional application.

II. Drawings

Applicant has submitted herewith a corrected drawing showing a perforation as in claim 4 and the first paragraph of the detailed description of the preferred embodiment. Such change was made to Fig. 1 and is shown in red on the attached corrected drawing sheet. Applicant also has submitted new Fig. 8 showing an angle as described and claimed in claims 12 and 13.

III. Rejections under 35 U.S.C. § 112, ¶ 2 and Claim Objections

Applicant notes the rejection made by the Examiner and suggested corrections. Applicants submit that the rejections under 35 U.S.C. § 112, ¶ 2 and objections made to the claims have been corrected and are evident from the claim amendments.

IV. Rejections under 35 U.S.C. § 102(b)

As a first point, Applicant notes that Norman is not prior art under 35 U.S.C. §102(b). Norman issued June 6, 2000 and the present application is entitled to priority date of July 6, 2000. As such, Norman may qualify as prior art only under 35 USC § 102(a) and (e).

Second, Applicant submits that the present amendment to claim 1 defines claim 1 over Norman. Specifically, claim 1 has been defined to recite “at least two front panels pivotally attached to one another.” It is clear that the invention of Norman does not have two front panels pivotally attached to one another in addition to two side panels, and that “the front panels [are] capable of being locked into a protective configuration” as required by claim 1. Furthermore, none of the prior art discloses nor suggests two front panels pivotally attached to one another in addition to two side panels, and that “the front panels [are] capable of being locked into a protective configuration.”

V. Rejections under 35 U.S.C. § 103(a)

Claims 2-13 depend from claim 1 and include the limitations of claim 1. Because none of the prior art of record discloses or suggests a structure with two front panels pivotally attached to one another in addition to two side panels, and that “the front panels [are] capable of being locked into a protective configuration” as required by claim 1, claims 2-13 are patentable over the prior art of record for at least the same reasons as claim 1. Moreover, none of the prior art discloses side panels attached to front panels wherein the side panels are adapted to be attached to a structure as in claims 2, 3, 12 and 13.

VI. New Claims

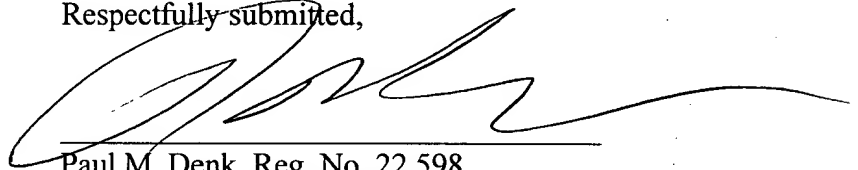
New claims 14-19 are patentable over the prior art of record for at least the reason that claim 14 requires “at least one pivotal latch attached to the front panels adjacent their attachment

to one another wherein the pivotal latch may be latched when the front panels have been pivoted into place to form substantially a single plane and the pivotal latch, when latched, provides retention of the two panels in alignment in substantially the single plane.” At least this element of claim 14 is found none of the art of record.

VII. Conclusion

Based on the foregoing, the allowance of claims 1-19 is respectfully requested. If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining issues, the Examiner is requested to contact the undersigned attorney for the purpose of arranging such an interview.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Paul M. Denk', is written over a horizontal line.

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APPLICANT: DeNatale
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FOR: SECURE CAGE FOR TELECOMMUNICATIONS FIBER OPTIC
CABLE ASSEMBLED SPLICES

**AMENDMENT A
VERSIONS WITH MARKINGS
TO SHOW CHANGES MADE**

IN THE CLAIMS:

IN THE SPECIFICATION:

Please amend the first paragraph of the specification at page 2, line 1 to read-
CROSS-REFERENCE TO RELATED APPLICATIONS [: N/A]

This application claims the priority of U.S. Provisional Patent Application No.
60/216,449 filed July 6, 2000.

Please amend the Brief Description of the Drawings as follows-

In referring to the drawings, FIG. 1 provides a perspective view of the secure cage of this invention, fully erected as during usage and application;

FIG. 2 provides a plan view of a manhole, with four splicing stations for telecommunications cable being provided therein;

FIG. 3 is a side view of the manhole shown in FIG. 2;

FIG. 4 is a plan view showing the manhole with the location of the splice systems;

FIG. 5 is a side view of the manhole of FIG. 4, and showing the arrangement of the fiber optic or other cables entering into the manhole and assembled within their separate splice boxes;

FIG. 6 is an end view of a manhole, such as shown in FIG. 5; [and]

FIG. 7 is a perspective view of the secure cage of this invention partially folded into its collapsed position; and

FIG. 8 is a plan view showing an angle according to the present invention.

Please amend the first paragraph of the detailed description to read as follows-

In referring to FIG. 1, the secure cage 1 of this invention is readily disclosed, and is generally formed of a lightweight gauge material, such as aluminum, perhaps even a polymer, is rust resistant, with a gauge generally being in the preferred embodiment somewhere in the range of 18 to 20. If formed of metal, or even plastic, it may be perforated or have a series of holes 100 punched in it, in order to provide some degree of ventilation, but at the same time, provide for a lighter weight through its structure, without diminishing its strength. Generally, as can be seen, the cage is formed of a series of [a] screens, approximately four in number, more or less, with a pair of collapsible front screens 2 and 3, and side screens 4 and 5 as noted. These various screens are connected together along their length by a series of pivot means, such as hinges, or by piano hinges 6 through 8, as noted. As can be seen in FIG. 1, the structure of the cage is such that it can be arranged in an upright and erect position, when unfolded, with a pair of side panels, and can be located around the splice boxes SB, down in the manhole, in order to provide the type of security and sheltering as previously explained. See FIG. 4.

IN THE CLAIMS:

1. (Amended) A secure cage for a cable securing structure, for providing a dedicated space for locating of specific cables for use for signal transmission in the telecommunications field, said cage being formed of a series of panels; capable of being erected into its space providing structure, or folded and collapsed as during non-use for providing direct access to the cables for servicing, a series of foldable panels, said panels being folded into an erected polygonal shape to provide security for any cables located therein, said panels for the cage forming a pair of side panels, and at least two front panels pivotally attached to one another, the side panels capable of securing to the approximate structure, the front panels capable of being locked into a protective configuration, [said front panels capable of being opened,] and said front panels in conjunction with the side panels fold back [in conjunction with the side panels, being folded back] to provide access to any cables maintained therein during servicing.

3. (Amended) The secure cage of Claim 1 wherein said cage being provided within a manhole structure, one of said [sidewalls] side panels being permanently affixed to a side of the manhole structure, and [the other] another of said side panels being normally fastened and locked to the side of the manhole structure, but capable of being opened, to provide for folding of the [various cage] side panels and front panels into a non-usable position to provide access to the cables during servicing.

6. (Amended) The secure cage of Claim 5 wherein the [front panel includes a pair of front panels, said] front panels [having] have sides, said front panels, along one side, being hinged together, and said front panels at their other sides being hinged to the side panels for the said cage, whereby all of said panels may be folded into a collapsed and substantially flattened

condition when the cage is opened during servicing of the cables, but can be erected and locked into closure to provide protection and securement for any cables installed therein.

7. (Amended) The secure cage of Claim 6 wherein [its] the panels of the secure cage are formed of a lightweight material.

12. (Amended) The secure cage of Claim 1, wherein [that] an edge of each side panel that secures to a side of the manhole structure includes an angle, and each angle capable of fastening to the side of the manhole.